CWP No.1329/2005

17.03.2006 Present: M/s Anand Sharma and Tarlok Chauhan, counsel for the petitioners.

Mr. M.S. Chandel, Advocate General with Mr. P.M. Negi, Assistant Advocate General, for respondent No.1.

Mr. N.S. Chandel, counsel for respondent No.2.

The learned counsel for the petitioners states that so far as the recovery part is concerned, the respondent has already given discount to the petitioners and no dispute in that regard is left in the petition. The learned counsel for the petitioners, however, states that under the Policy the auction of resin was to take place after every two months but the auction is taking place every month. The price of resin is varying quite a lot, and in such circumstances the petitioners are not able to fix the price of their product.

On the other hand, the learned counsel appearing for respondent No.2 states that the policy was modified and under the new policy action of the resin is to take place on 17th and 18th of every month at Nahan and Bilaspur, respectively.

We are of the view that instead of directing the respondents to hold auction every two months, we direct that it would be appropriate for the petitioners to make proper representation to the respondents in this regard and considering the hardship, which the industry of the petitioners is facing in regard to holding of auction every month, we have no manner of doubt that necessary orders would be passed by the respondents. Respondents are further directed to consider and decide the representation of the petitioners within a period of three months.

In view of the above, this writ petition stands disposed of.

CMP No.2518/2005

Disposed of, in view of the orders passed in the main matter.

(V.K. Jhanji), J.

March 17, 2006(sd) **(Surjit Singh), J.**